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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Barker**

Application No. 09/837,539

Attorney Docket No. 1032-P02148US1

Filed: April 18, 2001

For: Medical Device with Shield Having a  
Retractable Needle

Examiner:

Group Art Unit:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts, dated June 21, 2001,  
enclosed are the following:

1. Declaration and power of attorney for John Barker
2. Declaration and power of attorney for Thor Halseth
3. Declaration and power of attorney for Michael Botich
4. Copy of Form PTOL-1533.
5. Filing Fee as set forth in the accompanying Fee Calculation Sheet.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

By

Stephen H. Eland  
PTO Registration No. 41,010

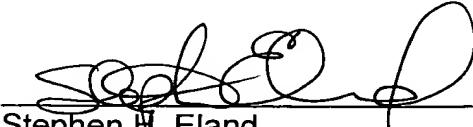
Telephone: (215) 563-4100  
Facsimile: (215) 563-4044

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this Response and accompanying papers are being deposited on November 15, 2001 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, DC 20231

November 15, 2001

Date of Certificate

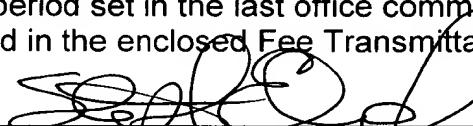
  
Stephen H. Eland  
PTO Registration No. 41,010

**Petition for Extension Under 37 CFR §1.136(a)**

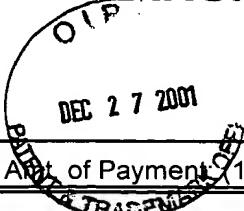
Applicant's undersigned attorney hereby petitions for an extension of time of THREE months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

November 15, 2001

Date of Certificate

  
Stephen H. Eland  
PTO Registration No. 41,010

# FEE TRANSMITTAL



Total Am't of Payment (1)+(2)+(3)= \$1,914

Complete if known

Application Number: 09/837,539

Filing Date: April 18, 2001

First Named Inventor: Barker

Group Art Unit:

Examiner Name:

Attorney Docket Number: 1032-P02148US1

## METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

Charge indicated fees

Charge additional fees

Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$1,914

## FEE CALCULATION (continued)

### ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	130
Surcharge - late provisional filing fee or cover sheet	
Extension for response within third month	920
Notice of Appeal	
Filing a brief in support of an appeal	
Request for oral hearing	
Petition to revive unavoidably abandoned application	
Petition to revive unintentionally abandoned application	
Issue fee	
Petitions to the Commissioner	
Petitions related to provisional applications	
Submission of Information Disclosure Stmt.	
Recording each patent assignment per property	40
Other fee (specify) <u>Advance Order (10 copies)</u>	
<b>SUBTOTAL (3)</b>	<b>\$1,090</b>

### FEE CALCULATION

#### 1. FILING FEE

##### Fee Description

	Fee
Utility filing fee	740
Design filing fee	
Plant filing fee	
Reissue filing fee	

**SUBTOTAL (1)** \$740

2.

Paid      Extr      Fee

Total Claims      8      -20      =    0      x 18      =    0

Independent Claims      4      -3      =    1      x 84      =    84

Multiple Dependent  
(First presentation)

**SUBTOTAL (2)** \$84

Submitted By:

Typed or

Printed Name Stephen H. Eland

Reg. Number 41,010

Signature Stephan H. Eland

Date November 15, 2001

Deposit Account User ID

04-1406

10/20/2001 09:00:00 00000065 09837539

920.00 02

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Sect 5  
#3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/837,539	04/18/2001	John M. Barker	1032-P02148US1

CONFIRMATION NO. 7584

000110  
DANN DORFMAN HERRELL & SKILLMAN  
SUITE 720  
1601 MARKET STREET  
PHILADELPHIA, PA 19103-2307

## FORMALITIES LETTER



\*OC00000006211363\*

Date Mailed: 06/21/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$80.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 920.

12/28/2001 BABRAKAI 00000084 09837539

01 F0101  
02 F0105  
03 F0102

740.00 0P  
130.00 0P  
84.00 0P

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY